

AMENDED IN ASSEMBLY APRIL 28, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1055

Introduced by Assembly Member Hill

February 18, 2011

An act to add Section 303.5 to the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

AB 1055, as amended, Hill. Public Utilities Commission: solicitation of contributions from regulated persons or corporations.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, as defined. Existing law prohibits a commissioner from holding an official relation to or having a financial interest in a person or corporation subject to regulation by the commission and requires the commission to adopt an updated Conflict of Interest Code and State of Incompatible Activities.

This bill would prohibit a commissioner or employee of the commission from knowingly soliciting charitable, political, or other contributions from any person or corporation subject to regulation by the commission, or from any person that is representing, or regularly represents, persons or corporations regulated by the commission. The bill would additionally ~~prohibit a commissioner or employee of the commission that is subject to the commission's Conflict of Interest Code and Statement of Incompatible Activities from knowingly serving as an officer or upon the board of any organization that solicits~~ *require the commission to annually report certain information to the Legislature relative to organizations that solicit* charitable, political, or other, contributions from any person or corporation subject to regulation by

the commission, or from any person that is representing, or regularly represents, persons or corporations regulated by the commission *on which a commissioner, the executive director, an assistant executive director, the attorney, an administrative law judge, or other exempt employee of the commission serves as an officer or member of the board of directors or other leadership body for the organization.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 303.5 is added to the Public Utilities
2 Code, to read:

3 303.5. (a) A commissioner or employee of the commission
4 shall not knowingly solicit charitable, political, or other
5 contributions from any person or corporation subject to regulation
6 by the commission, or from any person, including an attorney or
7 law firm, that is representing, or regularly represents, persons or
8 corporations regulated by the commission.

9 ~~(b) A commissioner or employee of the commission that is~~
10 ~~subject to the commission's Conflict of Interest Code and~~
11 ~~Statement of Incompatible Activities shall not knowingly serve as~~
12 ~~an officer or upon the board of any organization that solicits~~
13 ~~charitable, political, or other contributions from any person or~~
14 ~~corporation subject to regulation by the commission, or from any~~
15 ~~person, including an attorney or law firm, that is representing, or~~
16 ~~regularly represents, persons or corporations regulated by the~~
17 ~~commission.~~

18 (b) (1) *The commission shall annually report by June 30 of*
19 *each year, all of the following to the Legislature:*

20 (A) *The name of each organization subject to disclosure.*

21 (B) *The name of the commissioner, executive director, assistant*
22 *executive director, attorney, administrative law judge, or other*
23 *exempt employee of the commission who serves as an officer or*
24 *member of the board of directors or other leadership body of the*
25 *organization subject to disclosure.*

26 (C) *The mission statement or statement of purpose for each*
27 *organization subject to disclosure.*

28 (2) *For purposes of this subdivision, "organization subject to*
29 *disclosure" means an organization that solicits or accepts*

1 *charitable, political, or other contributions from any person or*
2 *corporation subject to regulation by the commission, or from any*
3 *person, including an attorney or law firm, that is representing, or*
4 *regularly represents, persons or corporations regulated by the*
5 *commission, on which a commissioner, the executive director, an*
6 *assistant executive director, the attorney, an administrative law*
7 *judge, or other exempt employee of the commission serves as an*
8 *officer or member of the board of directors or other leadership*
9 *body.*

10 (3) *A report submitted pursuant to this subdivision shall be*
11 *submitted in compliance with Section 9795 of the Government*
12 *Code.*

13 (4) *The requirements for submitting a report pursuant to this*
14 *subdivision is inoperative on July 31, 2016, pursuant to Section*
15 *10231.5 of the Government Code.*

16 (c) (1) For purposes of this section, an affiliate or holding
17 company of a public utility is a corporation subject to regulation
18 by the commission.

19 (2) For purposes of this section, the holder of a state franchise,
20 as defined in Section 5830, is considered a corporation subject to
21 regulation by the commission.